



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/050,360 | 01/16/2002 | Gerald Ronald Gough | 5681-09000 | 6010 |

7590

04/22/2003

B. Noel Kivlin
Conley, Rose, & Tayon, P.C.
P.O. Box 398
Austin, TX 78767

EXAMINER

DUONG, HUNG V

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/050,360

Applicant(s)
Gough et al.

Examiner
Hung Duong

Art Unit
2835

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (e). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-18 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4,5 6) ☐ Other:

Art Unit: 2835

DETAILED ACTION

Claim Objections

1. Claims 4-8 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. "A media drive" is claimed in claim 1, line 2.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 10-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Rezniko et al.

(US Pat. 6,067,225).

Art Unit: 2835

Regarding claims 10-17, Rezniko et al disclose in figures 1-5, a latching member 56 to be secured to a rear surface of a media drive 24, the latching member 56 comprising a plate 57 including formations to enable securing of the latching member 56 to the rear surface of the media drive 24 and an integral resilient latching projection 61; 62; the latching member 56 is operable to latch behind a detent 49 of the media drive bay 21 when the media drive 24 is received by a media drive bay 21.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7, 9, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (US Pat. 6,061,232) in view of Schmitt et al. (US Pat. 6,088,222) and further in view of Rezniko et al. (US Pat. 6,067,225).

Regarding claims 1-7, 9 and 18 Ho discloses in figure 1, a system unit comprising a media drive bay, the media drive bay comprising a drive bay housing configured to receive a media drive, a connector to interface with a connector on a received media drive. Schmitt et al show resilient tongue portion 420 integral with the media drive bay housing, which resilient tongue 420

Art Unit: 2835

is operable to urge onto a received media drive. The drive bay housing of Reznikov et al show a detent portion 49 for latching a resilient latch 56 attached to the media drive unit 24. Therefore, it would be obvious to one of ordinary skill to modify the media drive bay housing of Ho to include resilient tongue portion integral with the media drive bay housing of Schmitt and a detent portion for latching a resilient latch attached to the media drive unit of Reznikov in order to clasp the media drive within the housing and to latch a resilient latch attached to the media drive unit.

Regarding claims 2-4, and 9, the location of the resilient portions within the housing are considered to be obvious to the skilled person in the art to locate the resilient to support or to apply pressure the media drive.

Regarding claims 5-7, the different arrangement of the latch and detent are considered to be obvious to the skilled person in the art to rearrange the latch and detent as needed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hileman et al. (US Pat. 5,751,551) teach universal hard drive bracket with shock and vibration isolation.

Hutchins (US Pat. 6,373,707) teaches module mounting slide clamp mechanism.

Montoya et al. (US Pat. 6,421,236) teach hot swap disk drive carrier and disk drive bay.

Art Unit: 2835

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (703) 308-4889. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg, can be reached on (703) 308-4815. The fax phone number for this Group is (703)308- 7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-0956 .

HVD

4/16/03

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a stylized flourish at the end.

Hung Duong

Patent Examiner.